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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
IRVIN J. POKE
DIRECTOR

SHELLY EDGERTON
DIRECTOR

ELECTRICAL ADMINISTRATIVE BOARD

Ottawa Building
Upper Level, Conf Room 2
611 W. Ottawa St.
Lansing, MI 48933

**AMENDED
MINUTES**
May 19, 2016
9:30 a.m.

APPROVED 11/17/16

MEMBERS PRESENT

Mr. Ernest Harju
Mr. Corey Hannahs
Mr. Dave Williams
Mr. Alan Kuipers
Mr. Thomas Erdman, Chair
Mr. Dave Vallier
Mr. Paul Lemley
Mr. Brian Williams

MEMBERS ABSENT

Mr. Joe Gillespie

DEPARTMENT PERSONNEL ATTENDING

Mr. Dean Austin, Electrical Division Chief
Ms. Angela Sanderson, Electrical Division Secretary
Ms. Alesha Gensler, Deputy Director, LARA
Ms. Marnie Wills, Deputy Director, Policy Office, LARA
Ms. Diane Barmes, Licensing & Complaints Div. Manager, BCC

OTHERS IN ATTENDANCE

Mr. Alvin Martinez, Applicant

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1. **Call to Order and Determination of Quorum**

The meeting was called to order at 9:30 a.m. by Chairperson, Thomas Erdman. Roll was taken and it was determined a quorum was present.

2. **Approval of Agenda**

Board member Hannahs moved to approve the agenda as amended, with the addition of discussion of Senate Bill 963 under Chief Report, Board member Williams seconded the motion. **MOTION CARRIED.**

3. **Approval of Minutes**

The minutes of the May 21, 2015, meeting were reviewed. Board member Harju moved to recommend approval of the minutes as written, seconded by Board member Vallier. **MOTION CARRIED.**

Board member Williams asked if regarding Item 7 of Page 5 of the Electrical Administrative Board (EAB) meeting minutes from May 21, 2015, if the EAB is allowed to make comments or questions to the chair and then the chair will present them.

Mr. Dean Austin, Electrical Division Chief, responded saying that it depends on what it is regarding. If it is regarding an affidavit that is part of an on-going litigation it cannot be brought before the EAB.

4. **Applicants Appearing Before the Board:**

a. **Alvin Martinez, Journeyman Electrician Examination - Document E-16-003.**

Mr. Alvin Martinez was present. Staff presented findings and recommendations. After some discussion, Board member Williams, agreed with the laws and recommendation of staff and moved to require more documentation, to meet the statute, in order for Mr. Martinez to sit for the electrical journeyman examination. Motion seconded by Board member Harju. **MOTION CARRIED.**

5. **Unfinished Business**

None

6. **New Business**

a. **Definition of Minor Repair work**

Mr. Austin referenced the materials he had previously provided to the EAB on his suggested changes to the *Definitions of Minor Repair Work*. He said if the EAB came to a recommendation, they could send it to the Chair, and he could forward it on to the Director of the Bureau of Construction Codes (BCC) for consideration. He said the "total valuation" could possibly change under the new language.

Board Member discussion ensued resulting in a decision to have the chair ask for volunteers to be part of a review committee, including someone from the manufacturing environment, regarding the changes.

b. Discuss/Approve Apprenticeship Standards

Mr. Austin discussed the apprentice ratio changes of 1:3 (1 journeyman or master to 3 apprentices). He presented his suggestion of adding an “Appendix A” and “Appendix B” on the current standards.

Board Member discussion ensued resulting in a decision to support the law as stated in Public Act 73, which includes the ratio and that it meets or exceeds the USDOL standards on apprenticeship.

7. Discuss Board/Commission Roles & Responsibilities

Ms. Alesha Gensler, Licensing and Regulatory Affairs (LARA) Deputy Director, presented the Executive Reorganization Order that had been provided to the board members. She explained in further detail the roles and responsibilities of the EAB and BCC.

8. Chief Report

a. Discuss PSI Process

Mr. Austin discussed the PSI process and what the future holds for how examinations are administered. He said that there will eventually be a committee formed with PSI to discuss what information will be on the exams.

Board member Williams said that examinees have mentioned typos on the exam and that there is no real correct answer sometimes. He asked why we are still testing on the 2011 code when we have adopted the 2014 code some time ago now.

Mr. Austin answered saying that it is still being worked into the exam questions and that he hasn’t received any specific complaints about that at this point. He said he has submitted the new exam for review but hasn’t received it back for approval.

b. Discuss Accela Implementation

Mr. Austin gave an update on Accela and said things are going very well, with big improvements. He shared that we are now able to offer online permitting to applicants and a copy of the permit will be emailed to the applicant immediately. He continued to explain that within 24-28 hours after applying for a permit, the applicant can log on and look at the permit and it will provide the inspector’s contact information. He also shared that when applying for a license online, the applicant can print out a copy of the license immediately for use until the hard copy is received by the applicant in the mail.

c. Comment on HB4813/Public Act 73

Mr. Austin said that Public Act 73 goes into effect on July 4, 2016.

Mr. Austin also discussed HB5436 & HB5437 with the board, explaining that they have the potential to change who can do electrical wiring, and may allow a plumber or mechanical contractor to perform the wiring for a new installation, not just an existing replacement. He made brief mention of HB5123, relating to arc fault, that it was introduced December 8, 2015.

d. Senate Bill 963 – Skilled Trades Act

Mr. Austin said that Senate Bill 963 has been introduced by Senator Horn. He read from the Bill and explained that it will create consistency for licensees and streamline the process for complaints.

Ms. Marnie Wills, Deputy Director, Policy Office, LARA, explained further about the purpose of the bill.

Ms. Alesha Gensler, Deputy Director, LARA, said that this bill was requested by LARA. She said the entire package for the proposed bill is 963-972.

9. **2016 Electrical Board Meeting Schedule** – 2016 meeting schedule is posted on the web.

10. **Public Comment**

Mr. David Flint, Related Technical Instruction (RTI) Representative, University of Michigan (U of M), commented that he would like to see more representation of the public. He would like to see participation from owners and users in the crafting of the language. He would like public hearing comments moved to the beginning of the meeting, explaining that the attorney general has a guideline for that so that when an item is addressed the public has an opportunity to voice their opinion on that item before it is heard.

Mr. Todd Stites questioned if in reference to minor repair if consideration can be offered for facilities that have skilled workers working under direct supervision of an electrician for a very specific task, but agreed that the definition is due for a change.

Mr. Mike Crawford, Executive Director – Michigan Chapter, National Electrical Contractors Association (NECA), said that Senate Bill 963 was introduced, with the last page referencing the electrical law is totally completely repealed. He explained that in its place, the pertinent items were now moved into their own individual appropriate sections of the bill. He said that Senator Horn has committed that there will be a workgroup assigned for this bill to standardize the enforcement. He said that it is a commendable piece of legislation and it will be used as a “vehicle bill”, meaning that people will see this bill as an opportunity to rewrite the law. He recommended that the EAB review this bill in detail and spend some time and attention on it.

Mr. Dave Mattson, Related Technical Instruction (RTI) Representative, Lansing Community College (LCC), said in viewing the apprenticeship piece, he would like the EAB to keep

contractors aware of changes to the standards. He explained what they have been doing as an RTI provider and asked the EAB for any corrections in their current business practice.

Mr. Chris Fisher, Representative of Associated Builders & Contractors of Michigan (ABC), provided his comments on the proposed Skilled Trades Act. He said that everyone should be cautious with their proposed changes to the proposed Skilled Trades Act. He said ABC will be pushing one amendment regarding how the electrical apprentice ratios were listed (he said that the old ratios were listed instead of the new ones). He spoke about the “and” verses “or” in the new ratio language. He felt that the EAB was interpreting it correctly. He said that the statute very clearly states “and”, not “or”; meaning essentially that a bonafide program is identical to what the US DOL (United States Department of Labor) is with the exception of ratios. So the US DOL program does have to be followed, but in terms of ratios there can be a deviation. He said he felt that there was some legislative history to reflect this from the majority counsel in the Senate that can be used instead of consulting the AG’s office.

11. **Next Meeting** – August 11, 2016
12. **Adjournment** – 12:05 p.m. Board member Kuipers moved to adjourn, seconded by Board member Lemley. **MOTION CARRIED.**

Thomas Erdman, Chair

Date